

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
H. Arima, et al.

International Application No.: PCT/JP99/03315

Serial No.: 09/720,363

Art Unit: To Be Assigned

Filed: December 22, 2000

Examiner: To Be Assigned

For: Antisense Oligonucleotide Inhibiting IL-10 Protein Expression

**SUBMISSION OF MISSING PARTS OF APPLICATION
UNDER 37 C.F.R. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231
BOX PCT

Sir:

Enclosed are the following items for filing in the above-referenced pending U.S. Patent Application, in response to the Notice of Missing Parts:

1. Form PCT/DO/EO/905.
2. Declaration and Power of Attorney, executed by the Applicants on October 25, 1994.
3. The surcharge set forth in 37 C.F.R. 1.492(e) in the amount of \$130.00 was previously paid.

The Commissioner is hereby authorized to charge payment of any additional fees due or credit any overpayment to Deposit Account No. 20-1424. A duplicate copy of this sheet is enclosed.

Having now complied with all requirements of 35 U.S.C. 371, Applicants respectfully request that this application be placed upon the files for examination.

Respectfully submitted,

Donald E. Townsend, Jr.

Donald E. Townsend, Jr.
Reg. No. 43,198

Date: June 4, 2001

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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.

09/720363

FIRST NAMED APPLICANT

ARIMA

PCT DOCKET NO.

MUR-025-USA-

INTERNATIONAL APPLICATION NO.

PCT/ P93/03315

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I.A. FILING DATE

22 JUN 99

PRIORITY DATE

24 JUN 98

DATE MAILED:

04 APR 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (PCT/DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- ☒ U.S. Basic National Fee. ☐ Indication of Small Entity Status.
☒ Copy of the international application. ☒ Translation of the international application into English.
☒ Oath or Declaration of inventor(s). ☐ Translation of Article 19 amendments into English.
☐ Copy of Article 19 amendments. ☐ Other:
☒ Priority Document.
☐ The International Preliminary Examination Report in English and its Annexes, if any.
☐ Translation of Annexes to the International Preliminary Examination Report into English

2. ☒ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above; or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

☒ PCT/DO/EO/920

John L. Anderson

FORM PCT/DO/EO/905 (March 2001)

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BEST AVAILABLE COPY